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## TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	09/912,266
Filing Date	July 24, 2001
First Named Inventor	James E. Fleming
Group Art Unit	1743
Examiner Name	Not Yet Assigned
Attorney Docket No.	390054.402

### ENCLOSURES (check all that apply)

- |  |   |   |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement; Forms PTO-1449 (2 sheets)<br><input checked="" type="checkbox"/> Cited References (22)<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Request for Corrected Filing Receipt<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input type="checkbox"/> Declaration<br><input type="checkbox"/> Statement under 37 CFR 3.73(b)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____<br><input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return Postcard<br><input type="checkbox"/> Additional Enclosure(s) (please identify below):<br>_____<br>_____<br>_____<br>_____ |
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name William T. Christiansen, Ph.D.



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11/5/01

### CERTIFICATE OF MAILING

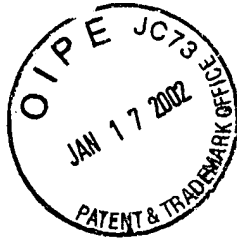
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Date: 11/5/01



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James E. Fleming et al.  
Application No. : 09/912,266  
Filed : July 24, 2001  
For : METHOD AND APPARATUS FOR VIABLE AND NONVIABLE  
PROKARYOTIC AND EUKARYOTIC CELL QUANTITATION

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Art Unit : 1743  
Docket No. : 390054.402

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the references set forth on the attached Forms PTO-1449 (copies of the cited references are enclosed). As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

A handwritten signature in black ink, appearing to read 'W. T. Christiansen', written over a horizontal line.

William T. Christiansen, Ph.D.

Registration No. 44,614

WTC:nka

Enclosures:

Postcard

Form PTO/SB/21

Forms PTO-1449 (2 sheets)

Cited References (22)

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